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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Report of the Third Committee

Rapporteur: Ms. Anzhela **Korneliouk** (Belarus)

I. Introduction

1. At its 9th plenary meeting, on 11 September 2000, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fifth session the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions" and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 47th to 53rd, 55th and 56th meetings, from 6 to 10 November 2000. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/55/SR.47-53, 55 and 56).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the United Nations High Commissioner for Refugees[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees;[2]

(b) Report of the Secretary-General on assistance to refugees, returnees and displaced persons in Africa (A/55/471);

(c) Report of the Secretary-General on the follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (A/55/472);

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 12* (A/55/12).
[2] Ibid., *Supplement No. 12A* (A/55/12/Add.1).

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(d) Report of the Secretary-General on a new international humanitarian order (A/55/545);

(e) Letter dated 4 October 2000 from the Permanent Representative of Burundi to the United Nations addressed to the Secretary-General, transmitting the report of the Subregional Conference on the Question of Refugees and Displaced Persons in Central Africa, held at Bujumbura from 14 to 16 August 2000 (A/55/506-S/2000/1006).

4. At the 47th meeting, on 6 November, the United Nations High Commissioner for Refugees made an introductory statement (see A/C.3/55/SR.47).

5. At the same meeting, the Committee engaged in a dialogue with the United Nations High Commissioner for Refugees in which the representatives of the Russian Federation, the Libyan Arab Jamahiriya, Guinea, the former Yugoslav Republic of Macedonia, the United Republic of Tanzania, Angola, Costa Rica, Venezuela, Burundi, the Sudan, Morocco, Bosnia and Herzegovina, Rwanda, Mexico, the Islamic Republic of Iran, the Congo and Croatia took part (see A/C.3/55/SR.47).

II. Consideration of proposals

A. Draft resolution A/C.3/55/L.21

6. At the 50th meeting, on 7 November, the representative of Mexico introduced a draft resolution entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees" (A/C.3/55/L.21).

7. At its 52nd meeting, on 8 November, the Committee adopted draft resolution A/C.3/55/L.21 without a vote (see para. 25, draft resolution I).

B. Draft resolution A/C.3/55/L.66

8. At the 53rd meeting, on 9 November, the representative of Bosnia and Herzegovina, on behalf of Azerbaijan, Bosnia and Herzegovina, Jordan, Kuwait and Panama, subsequently joined by Bangladesh and Thailand, introduced a draft resolution entitled "New international humanitarian order" (A/C.3/55/L.66), which read:

> "*The General Assembly*,
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> "*Recalling* its resolution 53/124 of 9 December 1998 and other pertinent resolutions relating to the promotion of the new international humanitarian order and international cooperation in the humanitarian field,
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> "*Taking note* of the report of the Secretary-General on the new international humanitarian order and his previous reports containing comments and views of Governments as well as of intergovernmental and non-governmental organizations,
>
> "*Bearing in mind* the reports of the Secretary-General as well as other pertinent reports made in the context of the Millennium Summit,

"*Noting with deep concern* the continuing trend of systematic violations of humanitarian and human rights law, which lead ultimately and inevitably to emergency situations,

"*Noting with appreciation* the emphasis placed by the Secretary-General on promoting compliance in the field of international humanitarian and human rights law and the arrangements being made by him to ensure an active follow-up to his views and suggestions in this regard,

"*Recognizing* that the ultimate aim of all humanitarian assistance should be to save human lives and facilitate the transition to rehabilitation and reconstruction in order to enable recipients to achieve self-sufficiency as soon as possible and that, to this end, a series of measures need to be taken, including, in particular, local capacity-building, good governance and conduct of States as well as non-State actors in accordance with universally accepted humanitarian norms and principles,

"*Recognizing*, in addition, the urgent need to further strengthen international cooperation and solidarity in the humanitarian field,

"1. *Expresses* its appreciation to the Secretary-General for his continuing support for efforts to promote a new international humanitarian order;

"2. *Invites* the Secretary-General to take all necessary measures to promote compliance with international humanitarian and human rights law, norms and principles in situations of armed conflict and complex emergencies;

"3. *Urges* Governments, intergovernmental and non-governmental organizations as well as non-state actors to extend cooperation and provide support to the efforts of the Secretary-General in this regard;

"4. *Invites* Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian problems of concern to them, in order to identify opportunities for future action, to ensure preparedness for an effective and speedy response to humanitarian challenges and, when necessary, to establish expert groups at the regional or international level in order to analyse these problems and make recommendations for action;

"5. *Invites* the Independent Bureau for Humanitarian Issues to continue and further strengthen its activities, including cooperation with the United Nations system;

"6. *Requests* the Secretary-General to remain in contact with Governments, and relevant international and non-governmental organizations concerned and to report to it at its fifty-seventh session on the progress made concerning promotion of a new humanitarian order and compliance with international humanitarian and human rights law in armed conflicts and emergency situations."

9. At the 55th meeting, on 10 November, the representative of Bosnia and Herzegovina orally revised the draft resolution as follows:

(a) A new preambular paragraph was inserted after the second preambular paragraph, reading:

"*Recalling* its resolution 46/182 of 19 December 1991 and the annex thereto pertaining to humanitarian assistance";

(b) In operative paragraph 2, the words "internationally accepted" were inserted before the word "norms".

10. At the 56th meeting, on 10 November, the representative of Bosnia and Herzegovina further orally revised the draft resolution.

11. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.66, as further orally revised, without a vote (see para. 25, draft resolution II).

C. Draft resolution A/C.3/55/L.67

12. At the 53rd meeting, on 9 November, the representative of Norway, on behalf of Albania, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Denmark, the Dominican Republic, Ecuador, Eritrea, Ethiopia, Fiji, Finland, France, the Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Nepal, the Netherlands, New Zealand, Nicaragua, the Niger, Nigeria, Norway, Panama, Peru, the Philippines, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Zambia and Zimbabwe, introduced a draft resolution entitled "Office of the United Nations High Commissioner for Refugees" (A/C.3/55/L.67). Subsequently, Afghanistan, Antigua and Barbuda, the Bahamas, Guinea, Kyrgyzstan, Malawi, Morocco, Namibia, Papua New Guinea, Swaziland, Tajikistan, Togo and Vanuatu joined in sponsoring the draft resolution, and the Philippines withdrew as a sponsor of the draft resolution.

13. At its 55th meeting, on 10 November, at the request of the representative of Egypt, the Committee held a separate vote on operative paragraph 20 of the draft resolution. The paragraph was adopted by a recorded vote of 118 to none, with 30 abstentions. The voting was as follows:[3]

In favour:

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France,

[3] The delegations of Ghana and Burundi subsequently indicated that, had they been present, they would have voted in favour.

Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia, Zimbabwe.

Abstaining:

Algeria, Bahrain, Bangladesh, Benin, Bhutan, Cambodia, Comoros, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Egypt, India, Indonesia, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Nicaragua, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, Singapore, Sri Lanka, Sudan, Syrian Arab Republic, United Arab Emirates, Viet Nam.

14. After the adoption of operative paragraph 20 of the draft resolution, statements in explanation of vote were made by the representatives of Pakistan, India, the Sudan, the United States of America and Algeria; subsequently, statements were made by the representatives of France (on behalf of the States Members of the United Nations that are members of the European Union), Canada and Norway (see A/C.3/55/SR.55).

15. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.67, as a whole, without a vote (see para. 25, draft resolution III).

16. After the adoption of the draft resolution, statements were made by the representatives of Singapore, India and the Dominican Republic (see A/C.3/55/SR.55).

D. Draft resolution A/C.3/55/L.68

17. At the 53rd meeting, on 9 November, the representative of South Africa, on behalf of Argentina, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Brazil, Burundi, Canada, Costa Rica, Côte d'Ivoire, Denmark, Ecuador, El Salvador, Finland, France, the Gambia, Germany, Greece, Guatemala, the Islamic Republic of Iran, Ireland, Italy, Japan, Lesotho, Luxembourg, Malaysia, Monaco, the Netherlands, Norway, Pakistan, Portugal, the Republic of Korea, Slovenia, South Africa, Spain, the Sudan, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia, introduced a draft resolution entitled "Ad Hoc Committee of the General Assembly for the announcement of voluntary contributions to the Programme of the United Nations High Commissioner for Refugees" (A/C.3/55/L.68). Subsequently, Albania, Botswana, Chad, Chile, Cyprus and Indonesia joined in sponsoring the draft resolution.

18. At its 55th meeting, on 10 November, the Committee adopted draft resolution A/C.3/55/L.68 without a vote (see para. 25, draft resolution IV).

E. Draft resolution A/C.3/55/L.69

19. At the 53rd meeting, on 9 November, the representative of South Africa, on behalf of Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belgium, Benin, Brazil, Burundi, Canada, Chile, Costa Rica, Côte d'Ivoire, the Democratic Republic of the Congo, Denmark, Ecuador, El Salvador, Finland, France, the Gambia, Germany, Greece, Guatemala, Guinea, the Islamic Republic of Iran, Ireland, Italy, Japan, Kenya, Lesotho, Luxembourg, Malaysia, Mauritania, Monaco, Mozambique, Namibia, the Netherlands, Norway, Pakistan, Portugal, the Republic of Korea, the Russian Federation, Slovenia, South Africa, Spain, the Sudan, Swaziland, Sweden, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Uganda, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Venezuela, Zambia and Zimbabwe, introduced a draft resolution entitled "Fiftieth anniversary of the Office of the United Nations High Commissioner for Refugees and World Refugee Day" (A/C.3/55/L.69). Subsequently, Albania, Bolivia, Botswana, Burkina Faso, Cameroon, Chad, Colombia, the Comoros, Croatia, Cyprus, Estonia, Ethiopia, Haiti, Honduras, Iceland, Indonesia, Liechtenstein, Malawi, Malta, Morocco, Nicaragua, Nepal, the Philippines, Rwanda, Senegal, Sierra Leone, Togo and Tunisia joined in sponsoring the draft resolution.

20. At its 55th meeting, on 10 November, the Committee adopted draft resolution A/C.3/55/L.69 without a vote (see para. 25, draft resolution V).

F. Draft resolution A/C.3/55/L.70

21. At the 53rd meeting, on 9 November, the representative of Mauritania, on behalf of the States Members of the United Nations that are members of the Group of African States and Austria, Bangladesh, Belgium, Colombia, Finland, France, Germany, Greece, Italy, Luxembourg, Mauritania, the Netherlands, Norway, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Assistance to refugees, returnees and displaced persons in Africa" (A/C.3/55/L.70). Subsequently, Canada, Chile, Croatia, Denmark, France, Haiti, Honduras, Ireland and Venezuela joined in sponsoring the draft resolution.

22. At the 56th meeting, on 10 November, the representative of Mauritania orally revised the draft resolution as follows:

(a) In operative paragraph 19, the words "urges States and all other actors" were replaced by the words "urges States, parties to conflict and all other relevant actors"; the words "calls upon States" were inserted before the words "to investigate fully"; and the words "requests organizations and aid workers" were replaced by the words "calls upon organizations and aid workers";

(b) A new operative paragraph 33 was inserted, reading:

"33. *Invites* the Representative of the Secretary-General on internally displaced persons to continue his ongoing dialogue with Member States and

intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly",

and the subsequent paragraphs were renumbered accordingly.

23. At the same meeting, the Committee adopted draft resolution A/C.3/55/L.70, as orally revised, without a vote (see para. 25, draft resolution VI).

G. Draft decision proposed by the Chairperson

24. At its 56th meeting, on 10 November, on the proposal of the Chairperson, the Committee decided to recommend to the General Assembly that it take note of the report of the United Nations High Commissioner for Refugees (A/55/12) and the report of the Secretary-General on follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States (A/55/ 472) (see para. 26).

III. Recommendations of the Third Committee

25. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2000/302 of 28 July 2000 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the letter dated 11 July 2000 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General,[4]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from fifty-seven to fifty-eight States;

2. *Requests* the Economic and Social Council to elect the additional member at its resumed organizational session for 2001.

[4] E/2000/92.

Draft resolution II
New international humanitarian order

The General Assembly,

Recalling its resolution 53/124 of 9 December 1998 and other pertinent resolutions[5] relating to the promotion of the new international humanitarian order and international cooperation in the humanitarian field,

Taking note of the report of the Secretary-General on the new international humanitarian order[6] and his previous reports[7] containing comments and views of Governments as well as of intergovernmental and non-governmental organizations,

Recalling its resolution 46/182 of 19 December 1991 and the annex thereto pertaining to humanitarian assistance,

Bearing in mind the reports of the Secretary-General[8] submitted in the context of the Millennium Summit,

Noting the importance of adherence to internationally accepted norms and principles as well as the need to promote, as required, national and international legislation to meet actual and potential humanitarian challenges,

Noting with deep concern the continuing trend of systematic violations of refugee law, international humanitarian law and human rights instruments, which can lead ultimately to emergency situations,

Noting with appreciation the increased attention of the Inter-Agency Standing Committee to addressing the security needs of personnel responding to these emergencies,

Noting with appreciation the emphasis placed by the Secretary-General on promoting strict adherence to refugee law, international humanitarian law and human rights instruments,

Recognizing that the ultimate aim of all humanitarian assistance should be to save human lives and facilitate the transition at the appropriate time to rehabilitation and reconstruction and to facilitate local capacity-building and institution-building, as necessary, in the affected countries and regions,

Recognizing, in addition, the urgent need to further strengthen international cooperation and coordination in the humanitarian field,

1. *Takes note* of the Secretary-General's continuing support of efforts to promote a new international humanitarian order;

2. *Invites* the Secretary-General to continue to promote strict adherence to refugee law, international humanitarian law, human rights instruments and internationally accepted norms and principles in situations of armed conflict and complex emergencies;

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[5] Resolutions 36/136, 37/201, 38/125, 40/126, 42/120, 42/121, 43/129, 43/131, 45/100, 45/102, 47/106, 49/170 and 51/174.

[6] A/55/545.

[7] A/37/145, A/38/450, A/40/358 and Add.1 and 2, A/41/472, A/43/734 and Add.1, A/45/524, A/47/352, A/49/577 and Corr.1, A/51/454 and A/53/486.

[8] A/54/619 and A/54/2000.

3. *Urges* Governments, intergovernmental and non-governmental organizations and others concerned to extend cooperation and provide support to the efforts of the Secretary-General, inter alia, through the relevant United Nations agencies and organizational mechanisms set up to address the assistance and protection needs of victims of complex emergencies as well as the safety and security of United Nations and other humanitarian workers;

4. *Calls upon* all Governments and parties involved in complex humanitarian emergencies to ensure the safe and unhindered access of humanitarian personnel so as to allow them to perform efficiently their task of assisting the affected civilian populations;

5. *Invites* Governments to make available to the Secretary-General, on a voluntary basis, information and expertise on humanitarian problems of concern to them, in order to identify opportunities for future action;

6. *Invites* the Independent Bureau for Humanitarian Issues to continue and further strengthen its activities, including cooperation with the Office for the Coordination of Humanitarian Affairs of the Secretariat and the other relevant bodies of the United Nations system;

7. *Requests* the Secretary-General to remain in contact with Governments and the relevant international and non-governmental organizations concerned and to report to it at its fifty-seventh session on the progress made concerning the promotion of a new humanitarian order and compliance with refugee law, international humanitarian law and human rights instruments in armed conflicts and emergency situations.

Draft resolution III
Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of her Office[9] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-first session[10] and the conclusions and decisions contained therein,

Recalling its resolution 54/146 of 17 December 1999,

Commending the High Commissioner, her staff and their implementing partners for the competent, courageous and dedicated manner in which they discharge their responsibilities, paying tribute to those staff members whose lives have been endangered in the course of their duties, and strongly condemning the deaths and injuries and other forms of physical and psychological violence experienced by staff members as a consequence of generalized as well as targeted violence,

Expressing appreciation this year, marking the fiftieth anniversary of the Office of the United Nations High Commissioner, for the work accomplished since its establishment in responding to the protection and assistance needs of refugees

[9] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 12* (A/55/12).
[10] Ibid., *Supplement No. 12A* (A/55/12/Add.1).

and in promoting durable solutions to their plight, and commending States for their cooperation and support,

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-first session;[10]

2. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the United Nations High Commissioner for Refugees of providing international protection to refugees and seeking permanent solutions to the problem of refugees, and reiterates the need for Governments to continue to facilitate the effective exercise of this function;

3. *Expresses sincere appreciation and gratitude* to Sadako Ogata for her unrelenting efforts throughout her tenure as United Nations High Commissioner for Refugees to promote innovative humanitarian solutions to the refugee problem in various parts of the world, and for her inspiring example in performing her functions in an effective and dedicated manner;

4. *Reaffirms* that the 1951 Convention[11] and the 1967 Protocol[12] relating to the Status of Refugees remain the foundation of the international refugee regime and recognizes the importance of their full application by States parties, notes with satisfaction that one hundred and forty States are now parties to one instrument or to both, welcomes the fact that an intergovernmental event involving those States is planned on the occasion of the fiftieth anniversary of the Convention, and encourages the Office of the High Commissioner and States to strengthen their efforts to promote broader accession to those instruments and their full implementation;

5. *Notes* that fifty-two States are now parties to the 1954 Convention relating to the Status of Stateless Persons[13] and that twenty-three States are parties to the 1961 Convention on the reduction of statelessness,[14] and encourages the High Commissioner to continue her activities on behalf of stateless persons;

6. *Reaffirms* that, as set out in article 14 of the Universal Declaration of Human Rights,[15] everyone has the right to seek and enjoy in other countries asylum from persecution, and calls upon all States to refrain from taking measures that jeopardize the institution of asylum, in particular by returning or expelling refugees or asylum-seekers contrary to international standards;

7. *Emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, welcomes the proposal of the Office of the High Commissioner to commence a process of global consultations on international protection, and requests a report thereon;

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[11] United Nations, *Treaty Series*, vol. 189, No. 2545.
[12] Ibid., vol. 606, No. 8791.
[13] Ibid., *Treaty Series*, vol. 360, No. 5158.
[14] Ibid., vol. 989, No. 14458.
[15] Resolution 217 A (III).

8. *Welcomes* measures taken by the Office of the High Commissioner to make protection effective, recognizing that international protection is a dynamic and action-oriented function, carried out in cooperation with States and other partners, inter alia, to promote and facilitate the admission, reception and treatment of refugees and to ensure protection-oriented solutions;

9. *Stresses* the importance of international solidarity, burden-sharing and international cooperation to share responsibilities and partnerships in reinforcing the international protection of refugees, urges all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, to cooperate and to mobilize resources with a view to reducing the heavy burden borne by States, in particular developing countries, that have received large numbers of asylum-seekers and refugees, and calls upon the Office of the High Commissioner to continue to play its catalytic role in mobilizing assistance from the international community to address the economic, environmental and social impact of large-scale refugee populations, especially in developing countries;

10. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, and calls upon all States of refuge, in cooperation with international organizations where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers;

11. *Urges* States to uphold the civilian and humanitarian character of refugee camps and settlements, inter alia, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees in secure locations and to afford the Office of the High Commissioner and other appropriate humanitarian organizations prompt, unhindered and safe access to asylum-seekers, refugees and other persons of concern;

12. *Calls upon* States and all concerned parties to take urgently all possible measures to safeguard the physical security and property of the staff of the Office of the High Commissioner and other humanitarian personnel, to investigate fully any crime committed against them and to bring to justice persons responsible for such crimes;

13. *Encourages* the Office of the High Commissioner, in cooperation with host countries and in coordination with other relevant United Nations bodies, to further develop and integrate appropriate security arrangements in its operations, and to allocate adequate resources for the safety and security of its staff and the persons under its mandate;

14. *Notes* that the 1994 Convention on the Safety of United Nations and Associated Personnel[16] is now in force, calls upon those States that have not yet done so to consider signing and ratifying the Convention, but notes in this regard that the Convention does not automatically apply to most humanitarian personnel, and therefore invites States to provide a timely response to the recommendation of the Secretary-General[17] to extend the scope of legal protection to all United Nations

[16] Resolution 49/59, annex.

[17] See A/54/619, para. 43; A/54/154/Add.1-E/1999/94/Add.1, para. 13.

and associated personnel through the development of a protocol to the 1994 Convention or by other appropriate means;

15. *Urges* all States and relevant organizations to support the High Commissioner's search for durable solutions to refugee problems, including voluntary repatriation, local integration and resettlement in a third country, as appropriate, reaffirms that voluntary repatriation is the preferred solution to refugee problems, and calls upon countries of origin, countries of asylum, the Office of the High Commissioner and the international community to act in a spirit of burden-sharing and partnership to enable refugees to exercise their right to return home in safety and with dignity;

16. *Calls upon* all States to promote conditions conducive to the voluntary repatriation of refugees in safety and with dignity, including conditions furthering reconciliation and long-term development in countries of return, and to support the sustainable reintegration of returnees by providing countries of origin with necessary rehabilitation and development assistance in conjunction, as appropriate, with the Office of the High Commissioner, relevant mechanisms including those within the United Nations system, and development agencies;

17. *Reiterates* the right of all persons to return to their country of origin, emphasizes in this regard the obligation of all States to accept the return of their nationals, calls upon all States to facilitate the return of their nationals who have sought asylum and have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

18. *Acknowledges* the desirability of comprehensive approaches by the international community, notably at the regional level, to the problems of refugees and displaced persons, and notes in this regard that capacity-building in countries of origin and countries of asylum can play an important role in addressing the root causes of refugee flows, strengthening emergency preparedness and response, promoting and building peace, and developing regional standards for the protection of refugees;

19. *Urges* States, in cooperation with the Office of the High Commissioner and other relevant organizations, to explore and support fully capacity-building initiatives as part of a comprehensive approach to addressing refugee issues and to take necessary measures to promote sustainable development and to ensure the success of capacity-building activities, and reiterates that such initiatives may include those which strengthen legal and judicial institutions and civil society, those which promote services for refugees, the observance of human rights, the rule of law and accountability and those which enhance the capacity of States to fulfil their responsibilities with respect to persons under the mandate of the Office of the High Commissioner;

20. *Reiterates its support* for the role of the Office of the High Commissioner in providing humanitarian assistance and protection to internally displaced persons on the basis of criteria enumerated in paragraph 16 of its resolution 53/125 of 9

December 1998, and underlines the continuing relevance of the Guiding Principles on Internal Displacement;[18]

21. *Calls upon* States to adopt an approach that is sensitive to gender-related concerns and to ensure that women whose claims to refugee status are based upon a well-founded fear of persecution for reasons enumerated in the 1951 Convention and the 1967 Protocol, including persecution through sexual violence or other gender-related persecution, are recognized as refugees, and encourages the Office of the High Commissioner to continue and to strengthen its efforts for the protection of refugee women;

22. *Urges* States and relevant parties to respect and observe principles of international human rights, humanitarian and refugee law that are of particular relevance to safeguarding the rights of the child and adolescent refugees whose situation is particularly vulnerable to abuse, welcomes in this regard the adoption of the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict[19] and on the sale of children, child prostitution and child pornography,[20] and calls upon States to consider signing and ratifying them as a matter of priority;

23. *Underlines* the particular role of elderly refugees within the refugee family, welcomes the development by the Office of the High Commissioner of guidelines to address their special needs, and calls upon States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly and disabled refugees are fully respected and that programmes are designed bearing in mind their special vulnerabilities;

24. *Recalls* that the family is the natural and fundamental group unit of society and that it is entitled to protection by society and the State, and calls upon States, working in close collaboration with the Office of the High Commissioner and other concerned organizations, to take measures to ensure that the refugee's family is protected, including through measures aimed at reuniting family members separated as a result of refugee flight;

25. *Calls upon* Governments and other donors to demonstrate their international solidarity and burden-sharing with countries of asylum, in particular developing countries, countries with economies in transition and countries with limited resources that, owing to their location, host large numbers of refugees and asylum-seekers, and urges Governments to respond promptly and adequately to the global appeal issued by the Office of the High Commissioner, presenting requirements under its annual programme budget, to support efforts to widen the donor base so as to achieve greater burden-sharing among donors and to assist the High Commissioner in securing additional and timely income from traditional governmental sources, other Governments and the private sector so as to ensure that the needs of persons under the mandate of the Office of the High Commissioner are fully met.

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[18] E/CN.4/1998/53/Add.2, annex.

[19] Resolution 54/263, annex I.

[20] Ibid., annex II.

Draft resolution IV
Ad hoc Committee of the General Assembly for the announcement of voluntary contributions to the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Recalling its resolutions 1556 A (XV) of 18 December 1960 and 1729 (XVI) of 20 December 1961 on the convening of an ad hoc Committee of the Whole, under the chairmanship of the President of the General Assembly, as soon as practicable after the opening of each regular session of the Assembly, for the purpose of announcing pledges of voluntary contributions to the refugee programmes for the following year,

Recalling also that the ad hoc Committee of the General Assembly for the announcement of voluntary contributions to the Programme of the United Nations High Commissioner for Refugees has been convened annually, under the chairmanship of the President of the General Assembly or his/her designate, at United Nations Headquarters, immediately following the debate on the report of the High Commissioner in the Third Committee,

Noting that the General Assembly, in its resolution 54/146 of 17 December 1999, endorsed the presentation of a unified annual programme budget of the Office of the High Commissioner,

Noting also that financial requirements under the annual programme budget for the programmes of the Office of the High Commissioner are presented in the global appeal issued late in November or early in December each year at Geneva, forming the basis for pledges in response to the information provided in the global appeal,

Decides, in order to improve and rationalize the funding mechanism following the adoption of the annual programme budget, that the ad hoc Committee of the General Assembly may be convened as from 2001 at Geneva, the headquarters of the Office of the High Commissioner.

Draft resolution V
Fiftieth anniversary of the Office of the United Nations High Commissioner for Refugees and World Refugee Day

The General Assembly

1. *Commends* the Office of the United Nations High Commissioner for Refugees for its leadership and coordination of international action for refugees, and acknowledges the tireless efforts of the Office of the High Commissioner to provide international protection and assistance to refugees and other persons of concern and to promote durable solutions for their problems during the past fifty years;

2. *Pays tribute* to the dedication of United Nations humanitarian workers and associated personnel, the staff of the Office of the High Commissioner in the field, including local staff, who risk their lives in the performance of their duties;

3. *Reaffirms* its support for the activities of the Office of the High Commissioner, in accordance with the relevant General Assembly resolutions, on behalf of returnees, stateless persons and internally displaced persons;

4. *Notes* the crucial role of partnerships with Governments and international, regional and non-governmental organizations, as well as of the participation of refugees in decisions that affect their lives;

5. *Recognizes* that, by virtue of its activities on behalf of refugees and other persons of concern, the Office of the High Commissioner also contributes to promoting the purposes and principles of the United Nations, in particular those related to peace, human rights and development;

6. *Notes* that 2001 marks the fiftieth anniversary of the 1951 Convention relating to the Status of Refugees,[21] which sets out the fundamental concepts for international refugee protection;

7. *Notes also* that the Organization of African Unity has agreed that an international refugee day may coincide with Africa Refugee Day on 20 June;

8. *Decides* that, as from 2001, 20 June will be celebrated as World Refugee Day.

Draft resolution VI
Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling its resolution 54/147 of 17 December 1999,

Recalling also the provisions of its resolution 2312 (XXII) of 14 December 1967, by which it adopted the Declaration on Territorial Asylum,

Recalling further the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[22] and the African Charter on Human and Peoples' Rights,[23]

Recalling the Khartoum Declaration[24] and the Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa[25] adopted by the Organization of African Unity at the ministerial meeting held at Khartoum on 13 and 14 December 1998,

Welcoming decision CM/Dec.531 (LXXII) on the situation of refugees, returnees and displaced persons in Africa, adopted by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session, held at Lomé from 6 to 8 July 2000,[26]

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[21] United Nations, *Treaty Series*, vol. 189, No. 2545.
[22] United Nations, *Treaty Series*, vol. [illegible] No. 14691.
[23] Ibid., vol. 1520, No. 26363.
[24] A/54/682, annex I.
[25] Ibid., annex II.
[26] See A/55/286, annex.

Welcoming the convening by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees of the Special Meeting of Governmental and Non-Governmental Technical Experts at Conakry from 27 to 29 March 2000, on the occasion of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa, commending the comprehensive implementation plan adopted by the Special Meeting, and noting its endorsement by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session,

Commending the First Ministerial Conference on Human Rights in Africa of the Organization of African Unity, held at Grand-Baie, Mauritius, from 12 to 16 April 1999, and recalling the attention paid to issues relevant to refugees and displaced persons in the Declaration and Plan of Action adopted by the Conference,

Recalling the sixth annual Seminar on International Humanitarian Law, convened by the Organization of African Unity and the International Committee of the Red Cross at Addis Ababa on 15 and 16 May 2000, and noting the endorsement of the recommendations of the Seminar by the Council of Ministers of the Organization of African Unity at its seventy-second ordinary session,

Recognizing the contributions made by African States to the development of regional standards for the protection of refugees and returnees, and noting with appreciation that countries of asylum are hosting refugees in a humanitarian spirit and in a spirit of African solidarity and brotherhood,

Recognizing also the need for States to address resolutely the root causes of forced displacement and to create conditions that facilitate durable solutions for refugees and displaced persons, and stressing in this regard the need for States to foster peace, stability and prosperity throughout the African continent,

Convinced of the need to strengthen the capacity of States to provide assistance and protection for refugees, returnees and displaced persons and of the need for the international community, within the context of burden-sharing, to increase its material, financial and technical assistance to the countries affected by refugees, returnees and displaced persons,

Acknowledging with appreciation that some assistance is already rendered by the international community to refugees, returnees and displaced persons and host countries in Africa,

Noting with great concern that, despite all the efforts deployed so far by the United Nations, the Organization of African Unity and others, the situation of refugees and displaced persons in Africa, especially in the West African and Great Lakes regions and in the Horn of Africa, remains precarious,

Stressing that the provision of relief and assistance to African refugees by the international community should be on an equitable, non-discriminatory basis,

Considering that, among refugees, returnees and internally displaced persons, women and children are the majority of the population affected by conflict and bear the brunt of atrocities and other consequences of conflict,

1. *Takes note* of the reports of the Secretary-General[27] and the United Nations High Commissioner for Refugees;[28]

2. *Notes with concern* that the declining socio-economic situation, compounded by political instability, internal strife, human rights violations and natural disasters, has led to increased numbers of refugees and displaced persons in some countries of Africa, and remains particularly concerned about the impact of large-scale refugee populations on the security, socio-economic situation and environment of countries of asylum;

3. *Recalls* the commemoration in 1999 of the thirtieth anniversary of the adoption of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[22] and commends the convening by the Organization of African Unity and the Office of the United Nations High Commissioner for Refugees of the Special Meeting of Governmental and Non-Governmental Technical Experts at Conakry from 27 to 29 March 2000 to mark that anniversary;

4. *Encourages* African States to ensure the full implementation and follow-up of the comprehensive implementation plan adopted by the Special Meeting and endorsed by the Council of Ministers of the Organization of African Unity;

5. *Also encourages* African States to ensure the full implementation and follow-up of the recommendations of the sixth Seminar on International Humanitarian Law, convened by the Organization of African Unity and the International Committee of the Red Cross at Addis Ababa on 15 and 16 May 2000;

6. *Calls upon* States and other parties to armed conflict to observe scrupulously the letter and the spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

7. *Expresses its sincere appreciation and gratitude* to Sadako Ogata for her tireless efforts, throughout her tenure as United Nations High Commissioner for Refugees, to address the plight of refugees, returnees and displaced persons in Africa and for her inspiring example in performing her functions in an exemplary and dedicated manner;

8. *Also expresses its gratitude and appreciation*, in this year marking the fiftieth anniversary of the Office of the United Nations High Commissioner for Refugees, for the work accomplished since its establishment, with the support of the international community, in assisting African countries of asylum and responding to the needs of refugees, returnees and displaced persons in Africa for assistance and protection;

9. *Notes* the intergovernmental event planned in commemoration of the fiftieth anniversary of the adoption of the 1951 Convention relating to the Status of Refugees, in 2001, and encourages African States parties to the Convention to actively participate in the event;

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[27] A/55/471.

[28] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 12* (A/55/12).

10. *Reaffirms* that the 1951 Convention[29] and the 1967 Protocol[30] relating to the Status of Refugees, as complemented by the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969, remain the foundation of the international refugee protection regime in Africa, encourages African States that have not yet done so to accede to those instruments, and calls upon States parties to the Conventions to reaffirm their commitment to their ideals and to respect and observe their provisions;

11. *Notes* the need for States to address the root causes of forced displacement in Africa, and calls upon African States, the international community and relevant United Nations organizations to take concrete action to meet the needs of refugees, returnees and displaced persons for protection and assistance and to contribute generously to national projects and programmes aimed at alleviating their plight;

12. *Notes also* the link, inter alia, between human rights violations, poverty, natural disasters and environmental degradation and population displacement, and calls for redoubled and concerted efforts by States, in collaboration with the Organization of African Unity, to promote and protect human rights for all and to address these problems;

13. *Encourages* the Office of the United Nations High Commissioner for Refugees to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights and the African Commission on Human and Peoples' Rights, within their respective mandates, in the promotion and protection of the human rights and fundamental freedoms of refugees, returnees and displaced persons in Africa;

14. *Notes with appreciation* the ongoing mediation and conflict resolution efforts carried out by African States, the Organization of African Unity and subregional organizations, as well as the establishment of regional mechanisms for conflict prevention and resolution, and urges all relevant parties to address the humanitarian consequences of conflicts;

15. *Expresses its appreciation and strong support* for those African Governments and local populations that, in spite of the general deterioration of socio-economic and environmental conditions and over-stretched national resources, continue to accept the additional burden imposed upon them by increasing numbers of refugees and displaced persons, in compliance with the relevant principles of asylum;

16. *Expresses its concern* about instances in which the fundamental principle of asylum is jeopardized by unlawful expulsion or refoulement or by threats to the life, physical security, integrity, dignity and well-being of refugees;

17. *Calls upon* States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements;

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[29] United Nations, *Treaty Series*, vol. 189, No. 2545.

[30] Ibid., vol. 606, No. 8791.

18. *Notes* the proposal of the Office of the United Nations High Commissioner for Refugees to commence a process of global consultations on the international refugee protection regime and, in this context, invites African States to participate actively in this process so as to bring their regional perspective to bear, thus ensuring that adequate attention is paid to concerns that are specific to Africa;

19. *Deplores* the deaths and injuries and other forms of violence sustained by staff members of the Office of the High Commissioner and urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, to prevent attacks on and kidnapping of national and international humanitarian workers and to ensure their safety and security, calls upon States to investigate fully any crimes committed against humanitarian personnel and bring to justice persons responsible for such crimes, and calls upon organizations and aid workers to abide by the national laws and regulations of the countries in which they operate;

20. *Calls upon* the Office of the High Commissioner, the Organization of African Unity, subregional organizations and all African States, in conjunction with United Nations agencies, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the international refugee protection system;

21. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities;

22. *Reaffirms* the right of return and also the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, as appropriate, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

23. *Notes with satisfaction* the voluntary return of millions of refugees to their homelands following the successful repatriation and reintegration operations carried out by the Office of the High Commissioner, with the cooperation and collaboration of countries hosting refugees and countries of origin, and looks forward to other programmes to assist the voluntary repatriation and reintegration of all refugees in Africa;

24. *Reiterates* that the Plan of Action adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held at Bujumbura from 15 to 17 February 1995, as endorsed by the General Assembly in its resolution 50/149 of 21 December 1995, continues to be a viable framework for the resolution of the refugee and humanitarian problems in that region;

25. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden-sharing, to the third-country resettlement requests of African refugees, and notes with appreciation that some African countries have offered resettlement places for refugees;

26. *Welcomes* the programmes carried out by the Office of the High Commissioner with host Governments, the United Nations, non-governmental organizations and the international community to address the environmental impact of refugee populations;

27. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

28. *Expresses its concern* about the long stay of refugees in certain African countries, and calls upon the Office of the High Commissioner to keep its programmes under review, in conformity with its mandate in the host countries, taking into account the increasing needs of refugees;

29. *Emphasizes* the need for the Office of the High Commissioner to collate statistics, on a regular basis, on the number of refugees living outside refugee camps in certain African countries, with a view to evaluating and addressing the needs of those refugees;

30. *Urges* the international community, in a spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

31. *Requests* all Governments and intergovernmental and non-governmental organizations to pay particular attention to meeting the special needs of refugee women and children and displaced persons, including those with special protection needs;

32. *Calls upon* States and the Office of the High Commissioner to make renewed efforts to ensure that the rights, needs and dignity of elderly refugees are fully respected and addressed through appropriate programme activities;

33. *Invites* the Representative of the Secretary-General on internally displaced persons to continue his ongoing dialogue with Member States and intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

34. *Expresses grave concern* about the plight of internally displaced persons in Africa, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, takes note in this regard of the Guiding Principles on Internal Displacement,[31] and urges the international community, led by relevant United Nations organizations, to contribute generously to national projects and programmes aimed at alleviating the plight of internally displaced persons;

[31] E/CN.4/1998/53/Add.2, annex.

35. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its fifty-sixth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions", and to present an oral report to the Economic and Social Council at its substantive session of 2001.

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36. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Documents relating to the report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

The General Assembly takes note of the report of the United Nations High Commissioner for Refugees[32] and the report of the Secretary-General on follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States.[33]

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[32] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 12* (A/55/12).

[33] A/55/472.